



American Association of
State Highway and
Transportation Officials

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Wayne Muri, President
Chief Engineer
Missouri Highway
and Transportation
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Francis B. Francois
Executive Director

July 23, 1993

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Office of the Secretary
Federal Communications Commission
1919 M Street, Room 239
Washington, D.C. 20554

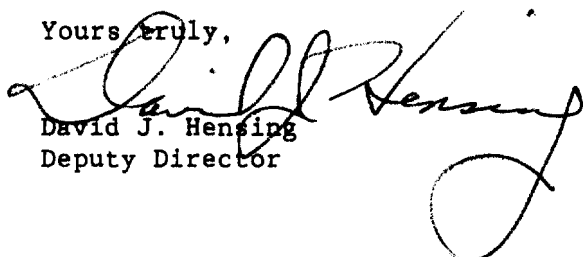
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Sir or Madame:

Enclosed are an original and nine copies of AASHTO's comments concerning PR Docket 92-235 concerning Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them.

Do not hesitate to so inform me should you have further comments or questions regarding this submittal.

Yours truly,


David J. Hensing
Deputy Director

DJH:LAM:abm

Enclosures

cc: Alan Hull
Jack Stanton

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)

Replacement of Part 90 by Part 88 to)
Revise the Private Land Mobile Radio)
Services and Modify the Policies)
Governing Them)

PR Docket 92-235

REPLY COMMENTS OF THE
AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS
SPECIAL COMMITTEE ON COMMUNICATIONS

Alan Hull, Chairman

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Before the
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Washington, D.C. 20554

In the Matter of)

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Revise the Private Land Mobile Radio) PR Docket 92-235

Services and Modify the Policies)

Governing Them)

To: The Commission

Reply Comments

The American Association of State Highway And Transportation Officials (AASHTO) respectfully submits these Reply Comments in the Commission's Notice of Proposed Rulemaking in the above-captioned proceeding.

AASHTO is the national association of the state departments of highways and transportation in the 50 states, the District of Columbia and Puerto Rico. Its scope includes all five principal transportation modes, and its major purpose is to foster the development, operation and maintenance of an integrated national transportation system.

Position Statement

The goals of the Commission in this proceeding "the increase in the number of channels through improved spectrum efficiency" are laudable. The implementation schedule which should be dependent upon the availability of proven "narrow band" or "very narrow band"

AASHTO, through its Special Committee on Communications, has reviewed many of the comments filed in reference to this proceeding. In order that the position of our nation's transportation departments is considered, we will address those issues which have the greatest potential to influence the transportation and public safety operations.

As stated earlier, technology is the key to the success of the Commission's efforts to improve the private land mobile communications services. The questions of whether technology will drive the regulatory process or that regulations will guide technology is the key to this entire process. The Commission will ultimately be charged with making that decision.

All Public Safety Service Eligibles

Respond to Emergencies

It is a little recognized fact that non-uniformed public employees are often the first respondents at accident sites. In fact, many times, hazardous material incidents, fires, or other life and property threatening incidents are discovered by highway maintenance crews. Highway Maintenance crews are often dispatched to such sites upon requests from motorists, or other public safety

operations precludes any proposal to categorize a current public safety radio user as less important than others.

Highway Maintenance Radio Systems not only improve the safety for the traveling public, but represent an investment in every aspect of life and business. All aspects of emergency and law enforcement activities as well as industry and business are dependent upon a safe, efficient, national and local transportation system. A proposal to elevate one or more of the current public safety radio services to a higher priority than others would most likely adversely affect all of public safety as well as business and industry. Recent flood and hurricane damage impeding transportation serves to point this out.

By its very nature, the Highway Maintenance Radio Service supports disaster and storm recovery efforts by providing vital communications to highway operations personnel who often must be on the scene of the nation's transportation corridors to clear and repair hazards to enable other emergency response providers to perform their tasks. As a matter of fact, by necessity, the first response to a major or catastrophic disaster scene is the Highway Department. Hurricanes, tornadoes, earthquakes, floods, and winter blizzards are prime examples. The highway must be made passable before other emergency personnel are able to perform their assigned tasks.

Transportation represents nearly one-fifth of the United States economic activity. The increase in the application of new technologies and its contribution to the economy as well as the safe movement of goods and people is increasingly dependent upon communications and related technologies.

Frequency Coordination

On April 15, 1986, the FCC released Report and Order, PR Docket 83-737. This order created the current frequency coordination service. The proposal to modify the current frequency coordination system by allowing multiple coordinators within broad based radio service groups received much attention from commenters. The Commission did not propose the elimination of any of the current frequency coordinators. One coordinator and its affiliated organizations propose monopolistic approaches for future frequency coordination. Among the justifications offered were cost-effectiveness, timely processing of coordinations and improved quality of frequency coordination.

The current system of multiple representative frequency coordinators was established by the Commission. Frequency coordination has been conducted by AASHTO through its Special Committee on Communications and member department employees for approximately 40 years. Prior to 1986, AASHTO as well as the other

frequency coordinating committees performed this service on a voluntary basis.

Frequency coordination is a service. Multiple coordinators have cooperated with respect to shared frequencies. Proponents of a single coordinator concept seem to view coordination as a profit-making endeavor and wish to eliminate competition. There is no single coordinator which can impartially represent all the diverse radio user groups.¹

The current radio services were created in recognition of the fact that radio users as well as their duties and responsibilities vary. All of the new channels which fall between existing channels should remain in the service from which they are created. New channels at the band edges should be placed in a public safety pool with some set aside for new technologies such as Intelligent Vehicle Highway Systems (IVHS). The consolidation of radio services will not result in any increase in spectrum efficiency

The FCC, in Report and Order PR Docket 83-737, stressed representativeness as important to frequency coordination. Representative coordination should continue in order that certain radio users are not discriminated against. Existing radio services should continue to be coordinated by their current coordinators. A Public Safety Pool (Local Government Radio Service) shared and coordinated by all Public Safety Coordinators would be beneficial to all users.

Coordinators are required to provide non-discriminatory service with respect to fees as well as technical considerations. AASHTO treats all requests for coordination equally. AASHTO's fee schedule clearly states that final disposition is withheld until receipt of payment. This presents no problem for the majority of license applicants or coordinators.

Although the number of frequency coordination transactions of the public safety frequency coordinators varies, it is notable that the fees of these coordinating entities remain competitive.

A purpose of frequency coordination is to ensure, as much as possible, that all frequency assignments are made with the consideration of both existing and future operations. Any reasonable time frame which is needed in order that all existing radio users are considered is justified.

Speed of service is not addressed by this proceeding, however, if the Commission wishes, it could initiate a rulemaking proceeding to establish limits on responses to requests for co- and adjacent-channel concurrence requests along the lines of Report and Order PR Docket 91-66.

We disagree that coordinating shared frequencies is a complex or compounded process. It is the only method of assuring that all radio users are equally represented. AASHTO is fully compliant with the 20 working days standard established by Report and Order PR Docket 83-737.

AASHTO strongly recommends that the Commission incorporate

~~rules requiring that concurrence from all coordinators of shared~~

AASHTO currently utilizes a common data base with the Utilities Telecommunications Council (UTC), the International Municipal Signal Association (IMSA)/International Association of Fire Chiefs (IAFC), Forestry Conservation Communications Association (FCCA), and Manufacturers Frequency Advisory Committee (MARFAC). This arrangement allows the electronic transfer of data and expedites the exchange of transactions.

AASHTO and IMSA/IAFC through their data base contractor has offered to allow daily electronic data transfers of information to and from the Associated Public Safety Communications Officers, Inc.(APCO) data base. If accepted, the Public Safety frequency coordinators would be served by the equivalent of a "common data base".

Coordination fees must represent the cost of the service. We feel that it is the responsibility of the originating coordinator to provide assistance to their applicant in delivering appropriate documents and fees to the proper destination. Refusal to provide assistance would seem to make that coordinator somewhat responsible for those delays.

If Public Safety frequencies are placed in a pool, then all certified Public Safety Coordinators should be eligible to

The effects of other two-way radio systems operation in the region of frequencies affected by PR Docket 92-235 are not considered by the docket.⁴ These systems and their operating parameters must be controlled to prevent harmful interference to public safety systems.

Additionally, the expected increase in intermodulation and desensitization problems must be considered prior to the adoption of a new channelization plan.⁵

The Current Radio Services and Block Allocations
Should be Retained

We agree with other commentaries that the block allocation by service is advantageous in allowing like users to share common technologies and systems. We oppose the commission's proposal to intersperse non-compatible radio services between public safety channels.

Some frequencies should continue to be designated for state agency use only. This is the only practical method of insuring that sufficient allocations exist for present and future systems which are vital to all state governmental entities.

⁴Comments of APCO, page 20

⁵Comments of APCO, page 28

Implementation Schedule Must Consider Financial Impact

Upon Public Safety Agencies

Most public safety agencies operate within a long range budgetary process and equipment amortization cycle. A minimum of ten years is required in order that system changes do not present an undue financial and operating burden. It is not unusual for state departments of transportation to operate radio equipment for

immediate financial impact to large systems while allowing rapid migration to small systems on a voluntary coordinated basis.

Grandfather Wideband Systems

We do not agree that some wideband systems should be grandfathered.⁷ To do so would negate a portion of the benefits gained from reduced channel bandwidth and its associated increase in the number of channels. We do recognize, however, that current technology may not allow the desired level of performance with narrow bandwidth. We support a level playing field for all users based upon equivalency of performance.

Regional Planning Process

The regional planning process certainly has some degree of merit provided that all radio services are equally represented. The experience of some state departments of transportation has been that the regional committees are comprised primarily of Police, Fire, Emergency Medical Services (EMS) and Local Governmental officials. This automatically weighted the Committees in favor of non-transportation agencies. In some cases, the concerns of the highway maintenance radio users have not been considered. We disagree with the proposal of the California Public-Safety Radio

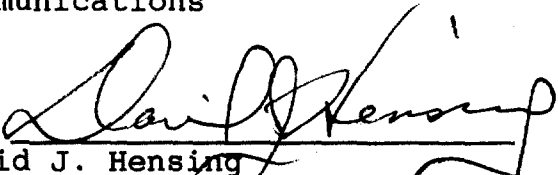
⁷Comments of the National Association of Business and Educational Radio, Inc. (NABER), page 31, 32

Association, Inc. because it would remove representative input format in the frequency coordination process.⁸

Conclusion

AASHTO requests that the Commission consider and act favorably upon these comments as it proceeds with this matter.

Respectfully submitted,
American Association of State
Highway and Transportation
Officials, Special Committee on
Communications

By: 
David J. Hensing
Deputy Director, American
Association of State Highway
and Transportation Officials

⁸Comments of the California Public-Safety Radio Association, Inc., page 9.